

Mono County Community Development Department Planning Division

P.O. Box 347
Mammoth Lakes, CA 93546
(760) 924-1800, fax 924-1801
commdev@mono.ca.gov

P.O. Box 8
Bridgeport, CA 93517
(760) 932-5420, fax 932-5431
www.monocounty.ca.gov

VARIANCE INFORMATION

INTRODUCTION:

A Variance permits variation from specific standards contained in the Mono County General Plan. Variances are issued by the Planning Commission in cases where an applicant can clearly demonstrate that *special circumstances* – other than financial hardship – related to the property deprive the property owner of privileges enjoyed by others in the vicinity and in an identical land use designation. Special circumstances are typically related to the property's physical characteristics such as its size, shape, topography or surroundings. A variance shall not be granted for uses or activities not permitted in the vicinity or in an identical land use designation (see Mono County General Plan Land Use Element, Chapter 33 and Government Code § 65906).

The timeframe for processing depends on the level of environmental review required. Projects Categorically Exempt under the California Environmental Quality Act can be processed in one to two months, while those requiring a Negative Declaration or Environmental Impact Report (EIR) will take longer. The average variance process takes three months.

APPLICATION PACKET SHALL INCLUDE:

- A. Completed application form.
- B. Completed Project Information form (one copy) or Expanded Environmental Submittal for larger projects (three bound copies and one unbound copy for reproduction).
- C. Detailed Plot Plans meeting the requirements of the attached Plot Plan guidelines: Two full-size copy (blueprints) and one reduced version no larger than 11" x 17". Applicants of larger projects may be required to submit additional full-size copies.
- D. Elevations or flat-scale drawings of the proposed project: Two full-size sets and one reduced set no larger than 11" x 17". Applicants of larger projects may be required to submit additional full-size sets.
- E. Floor plans of project: Two full-size sets and one reduced set no larger than 11" x 17". Applicants of larger projects may be required to submit additional full-size sets.
- F. Deposit for project processing: See Development Fee Schedule.
- G. Environmental Review (CEQA): See Development Fee Schedule for Categorical Exemption, Negative Declaration, and Environmental Impact Report (deposit for initial study only).
- H. Indemnification Agreement.

APPLICATION REVIEW PROCEDURE:

- A. **Preapplication conference** with county staff. Conferences can be requested by staff or the applicant for larger projects or those projects that might generate significant public controversy.
- B. **Application packet submitted** to the Planning Division.

More on back...

- C. **Planning staff review** of application packet. If packet is incomplete, the applicant will be notified of the deficiencies. Generally, projects requiring the preparation of a Negative Declaration or Environmental Impact Report require more processing time.

If complete, the packet will be sent for review to local, state and federal agencies, and a Land Development Technical Advisory Committee (LDTAC) meeting will be scheduled. The LDTAC consists of representatives from the Planning, Public Works and Health departments. The preparation of a Planning Commission staff report and environmental document, if necessary, will also commence. The LDTAC meetings for projects requiring a Negative Declaration or EIR are scheduled a minimum of four weeks after a completed project application is accepted. Projects that are Categorically Exempt could be scheduled sooner. Board of Supervisors' Minute Order 83-1154 requires the Planning Division to give local fire districts at least 20 days to review and comment on projects. LDTAC meetings are held following the initial review period to examine comments and concerns of local, state and federal agencies.

- D. **LDTAC review** of project. The LDTAC will review with the applicant the Staff Report with conditions of approval, comments from agencies and the environmental document. A Planning Commission hearing will be scheduled following the LDTAC meeting. Due to public review and noticing requirements, most Planning Commission public hearings will not be scheduled for at least two weeks after the LDTAC meeting. Projects requiring Negative Declaration or EIR will have longer review periods.
- E. **Planning Commission public hearing scheduled.** Due to public review and noticing requirements, most Planning Commission public hearings will not be scheduled for at least two weeks after the LDTAC meeting. Projects requiring Negative Declarations or EIRs will have longer review periods.
- F. **Final Staff Report and environmental document.** A final Staff Report and, if applicable, environmental documentation will be sent to the Planning Commission and the applicant five days prior to the public hearing.
- G. **Planning Commission public hearing conducted.** Following a staff presentation and additional public testimony, the Planning Commission will make an environmental determination, and then take action on the proposed project. The Planning Commission can: 1) deny; 2) approve; 3) approve with conditions; or 4) continue the hearing to receive additional input. The applicant's attendance at the hearing is vital to provide commissioners with additional information and to answer questions. Unless it is appealed to the Board of Supervisors, the Planning Commission's decision is usually the last administrative action.
- G. **Appeal of Planning Commission's decision.** The applicant or other interested parties can appeal the Planning Commission's decision to the Board of Supervisors. A completed appeal application with accompanying fees must be filed with the Planning Division within 15 days of the decision date.

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**VARIANCE
APPLICATION**

APPLICATION # _____	FEE \$ _____
DATE RECEIVED _____ BY _____	RECEIVED _____
RECEIPT # _____ CHECK # _____ (NO CASH)	

APPLICANT/AGENT _____

ADDRESS _____ CITY/STATE/ZIP _____

TELEPHONE (____) _____ E-MAIL _____

OWNER, if other than applicant _____

ADDRESS _____ CITY/STATE/ZIP _____

TELEPHONE (____) _____ E-MAIL _____

PROPERTY DESCRIPTION:

Assessor's Parcel # _____ General Plan Land Use Designation _____

PROPOSED USE: Describe in detail the variance, using additional sheets if necessary.

NOTE: Variance applicants must clearly demonstrate that special circumstances – other than financial hardship – related to the property deprive the property owner of privileges enjoyed by others in the vicinity and in an identical land use district. Special circumstances are typically related to the property's physical characteristics such as its size, shape, topography or surroundings. Variances shall not: 1) constitute special privileges inconsistent with other properties in the vicinity or in the same land use district; 2) injure the public's welfare or be detrimental to property owners in the vicinity; or 3) conflict with the county's General Plan or Specific Plans.

I CERTIFY UNDER PENALTY OF PERJURY THAT I am: q legal owner(s) of the subject property (all individual owners must sign as their names appear on the deed to the land), q corporate officer(s) empowered to sign for the corporation, or q owner's legal agent having Power of Attorney for this action (a notarized "Power of Attorney" document must accompany the application form), AND THAT THE FOREGOING IS TRUE AND CORRECT.

Signature

Signature

Date